

Agreed statement of Network Rail and Audley End Estate
concerning level crossing E12 Wallaces

- Through the Order, NR was seeking to extinguish the private rights of way over E12.
- The Estate would have been entitled to claim compensation for loss arising from that extinguishment - as provided for by Article 25 of the revised filled order
- The Estate objected to the proposed extinguishment of the rights over E12 on the basis (inter alia) of the impact it would have on its shoots and management of the Estate
- Since the application was made, NR and the Estate have been in discussions regarding the proposed closure of E12.
- The parties have now agreed that the rights of way over E12 shall be extinguished by means of a Deed of Release - the Estate agreeing to release its rights of way over E12 on payment of an agreed consideration.
- The Deed of Release has been executed, and funds have been transferred to NR's solicitors. Once those funds have cleared, they will be paid over to solicitors acting for the Estate. It is anticipated that the Estate (through their solicitors) should be in receipt of funds by the beginning of next week, if not the end of this one.
- Once the Estate has confirmed it is in receipt of the consideration, NR will request that E12 be removed from the draft Order. The Deed of Release takes effect on completion.
- Once the Estate has been notified of NR's request to remove E12 from the draft Order, it will then formally withdraw its objection to the draft Order in respect of E12.
- In light of these developments, the parties do not consider it necessary to explore the issues raised in the Estate's objection before the inquiry. However, until E12 is removed from the Order, the Estate wishes for its objection to remain on the record.